

**ASSEMBLY BILL**

**No. 2714**

**Introduced by Assembly Member Torrico**

February 24, 2006

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An act to add Section 12317 to the Penal Code, relating to ammunition.

LEGISLATIVE COUNSEL'S DIGEST

AB 2714, as introduced, Torrico. Ammunition.

Existing law generally regulates the sale of ammunition.

This bill would provide that no ammunition or reloaded ammunition may be delivered pursuant to a retail transaction unless the purchaser personally presents clear evidence of his or her identity and age to the seller of the ammunition. Violation of these provisions would be an offense punishable by imprisonment in a county jail for a term not to exceed six months, or by a fine not to exceed \$1,000, or by both imprisonment and that fine, with increased penalties for second or subsequent violations.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Section 12317 is added to the Penal Code, to read:

12317. (a) No ammunition or reloaded ammunition may be delivered pursuant to a retail transaction unless the purchaser presents in person clear evidence of his or her identity and age to the seller of the ammunition.

(b) Any person, corporation, or dealer who delivers ammunition or reloaded ammunition in violation of this section shall be punishable by imprisonment in a county jail for a term not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or by both imprisonment and that fine.

(c) A second or subsequent violation of this subdivision is punishable by imprisonment in a county jail not to exceed one year or in the state prison, by a fine not to exceed one thousand dollars (\$1,000), or by both the fine and imprisonment.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.